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ABSTRACT

Intended for junior or senior high school students, this pamphlet examines the status of the world community in upholding the promise of the United Nations' "Universal Declaration of Human Rights" of 1948. The five chapters include definitions for a human being, and discussions of human rights and whether laws and treaties are effective in protecting human rights, value conflicts and how these affect human behavior, descriptions and comparisons of existing plans and national and international human rights. Questions and activities at the end of each chapter include ideas to think about, issues to talk about, facts to find out about, and things to do. The pamphlet contains many examples of abuses of human rights. Three appendices are provided: the text for the Universal Declaration of Human Rights, important dates in human rights history, and names and addresses of some United States human rights groups. (CK)

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Perspectives in World Order

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The Struggle for Human Rights

A Question of Values

U.S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
NATIONAL INSTITUTE OF EDUCATION

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Laxmi Rani, a high-school student, with her father (right) and a social worker, Dinesh Chandra. According to the Universal Declaration of Human Rights, "everyone has the right to education." But high-caste neighbors have tried to deprive Laxmi of her education because she is an "untouchable."

Introduction

For thousands of years, most people in India were born into one of several groups known as castes. Brahmans were the highest caste. Untouchables (harijans) were the lowest.

In modern India, after World War II, the government passed laws to grant full rights to untouchables. But in some areas old traditions remain. The following episode took place in 1973:

Kallipashim, India *October 20, 1973*

Laxmi Rani is terrified to leave her mud hut in the morning and climb on her bicycle to pedal to school four miles away.

"I will be beaten," the 16-year-old girl said. "I will be abused. I think the people are displeased. I think they do not want anybody of low caste to get an education."

Laxmi, the only untouchable in this mango-shaded village of 3,000 to attend high school—she is in the 12th grade—added: "I am missing my examinations now. What will happen to me?"

Three weeks ago Laxmi was returning from school when two men whom she later identified as relatives of a Brahman landlord flung her to the ground, beat her, and began pushing her into an empty hut. The weeping girl fled to the hut of a local carpenter, where she hid until darkness, when her father and several relatives found her.

The incident would probably have gone unnoticed, since the police brushed aside the complaint by Hub Lal, the girl's father. However, word of the beating reached an activist social worker, Dinesh Chandra, who took the case to a prominent lawyer, Chedi Lal Sathi, a Congress party official who works with untouchables.

"In villages and towns a harijan who wants a higher education is a threat to the landlords and the upper castes," Mr. Sathi said. "If harijans learn their rights, if they become literate, then exploitation will have to stop. If they become educated, then who will do the menial jobs, the servants' work? Who will accept the conditions and wages that harijans tolerate?

"Some of it takes the form of intimidation," he said. "In this case they were trying to intimidate Laxmi Rani because she is the smartest girl in the village—smarter than the landowner's daughter—and they didn't want a harijan who was smarter than a Brahman.

"These are not just cases of rich against poor but of one caste wanting another to live without human honor, without self-respect," he said.

Discussing her classes, Laxmi said: "The teachers at school are sympathetic, and I like some of the girls. I am not a troublemaker at all. Soon, perhaps, I won't be frightened of going to school, but now I still am. The people here, the rich people, don't like it."

Every day in many parts of the world, incidents like this one are taking place. They are examples of a continuing struggle to achieve the rights of human beings.

In the early years of the United Nations, on December 10, 1948, the General Assembly adopted the Universal Declaration of Human Rights. (The Declaration appears in Appendix A of this book.) In this document, the member nations promise to strive to obtain "equal rights . . . and better standards of life for all people."

How well has the promise of the Universal Declaration been carried out by the world community? How might we assure a future in which the promise of the Declaration has been fulfilled? This book examines these—and other—questions through an inquiry into the meaning of human rights.

The first chapter explores the question: What is a human being? The second chapter examines what is meant by "rights"—and whether law and treaties are effective in protecting rights.

The third chapter investigates how people's values—their ideas about what is important—affect their behavior toward other people.

The fourth chapter describes and compares several existing plans for protecting human rights. The fifth chapter considers other plans suggested for the future. And at the end of the book you are invited to develop your own ideas about how we might achieve a world in which everyone is guaranteed full human rights.

The Universal Declaration of Human Rights is a statement of ideals—a vision of what the world could be like. As you read this book, think about the kind of world in which you want to live in the future. Is today's world that kind of world?

Chapter One:
What Is a Human Being?

In 1968 a group of Cuiva Indians in the South American country of Colombia accepted an invitation to a meal at a cattle ranch on the prairies. As the Indians were eating outdoors, six cowboys emerged from the ranch house and killed at least sixteen Indians, including women and children. The cowboys burned the bodies and hid the remains.

When the cowboys were put on trial in 1972, they admitted the killings. But they argued that someone raised in the traditions of the prairies would consider killing an Indian no worse than killing a deer. The cowboys' lawyer also contended that for hundreds of years some whites have regarded Indians as animals, who may be hunted like game.

The jury found the cowboys not guilty. But the judge ruled that the weight of evidence did not support the verdict. He ordered a second trial for the cowboys.

---

1. Suppose you were a member of the jury voting not guilty in this case. What reasons would you give?

2. Suppose you were the judge in this case. What reasons would you give for overturning the jury's verdict?

What Does It Mean To Be Human?

What is a human being? Most of us would probably say that we know the answer to this question. But every day, around the world

people are killing or mistreating other people whom they consider to be less than "human."

The landlord's relatives in the Indian village beat Laxmi Rani because she was an "untouchable." The Colombian cowboys justified the killing of sixteen Indians on the ground that this was no worse than killing animals. A soldier fighting far from home may view unarmed, unresisting civilians as enemies to be "wasted." German Nazis made it a national policy to deny certain people even the "right to life" because they claimed that those people were inferior to themselves.

What *is* human, then? The scientist's basic answer is relatively brief and clear. Human beings are called *homo sapiens*. They are set apart from other animals because they stand erect, have a highly developed brain, a thumb that works effectively in opposition to the other four fingers, and the power of speech.

Anthropologists, who study how human beings are like and unlike other animals, add a few non-physical characteristics. The human being uses speech to communicate not just mere sounds, or words that point out material things, but also ideas and the accumulation of ideas called *culture*. Human beings can receive knowledge of customs and then can pass this knowledge along to others, sometimes changing it in the process.

Scientists have found that *all* humans, of whatever race or culture and no matter how different they may look, have these essential human characteristics. Members of an isolated tribe may not read or write. They may know nothing of modern technology. Yet they can master the most complicated of tribal rules and rituals. They memorize hours of tribal history which they pass on to their children. They understand and work in harmony with their environment.

Their brains are no less capable than the brains of the scientists who study them. But they use them for different purposes.

One way of defining a human being, therefore, is as follows: Any erect-standing mammal born with a human hand, the power of speech, and the ability to pass ideas along to others.

But is this definition sufficient? Is this all that being human means? What about those who are born without some of these characteristics or who lose them through an illness or accident? Many such people (for example, the deaf, the mentally retarded, the deformed) have often been treated as less than human because of their differences from other people.

Perhaps this gives us a clue to another factor to consider—the manner in which people *act* toward other people. Does being fully

human involve not only the possession of certain characteristics but also treating other people in certain ways?

How should people be treated? There is no absolute answer to this question. But all people know certain ways in which they themselves would *not* like to be treated.

The Colombian cowboys killed the Indians because they considered them to be "less than human." What does this mean? Can a human being be "less than human"?

There is a word to describe actions which are viewed as less than human—the word "inhumane." When we say that someone is "inhumane," we mean that he or she is lacking in certain qualities such as mercy, kindness, consideration, tenderness. When we think about the cowboys' treatment of the Indians on the Colombian prairie, most of us would view their actions as inhumane.

The cowboys' killing of the Indians raises the question: Why do some people mistreat other people? Is there something inborn in human beings that makes them act toward other people in certain ways? Some social scientists argue that human beings are naturally aggressive—naturally inclined to start quarrels or fights. If so, we might have to conclude that actions like those of the Colombian cowboys are natural—that war and killing are inevitable.

But other social scientists disagree. Read the following report of a recently discovered tribe, who, as far as we know, are the world's most primitive people:

> A team of anthropologists in the Philippines reported a major discovery which will help us to learn more about our human past. Isolated from the world in the mountains of these islands, they have found a small tribe of people, the Tasadays, whose culture is of the Stone Age.
>
> In their report the scientists stressed some of the behavioral as well as cultural characteristics of the tribe. They are good humored, often making jokes. They are loving and affectionate, especially with the very young and the aged. They do not compete but follow a cooperative way of life. They have no word in their language for war.

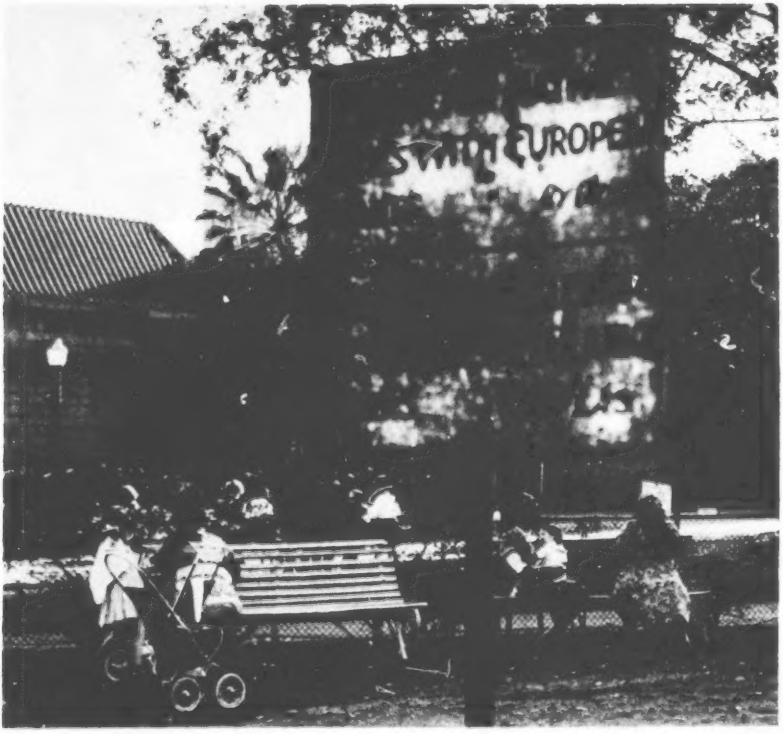
---

1. How would you explain war to a Tasaday?

2. If a social scientist believes that human beings are naturally aggressive, what would the social scientist probably say about the Tasadays?

Whether people are naturally aggressive or not remains an open question. We really don't know the answer for sure.

A Cuiva Indian of the forest in Colombia. When 16 Cuivas were murdered by cowboys in 1968, the cowboys said that killing Indians was no worse than killing animals.



One section of a park in Johannesburg, South Africa, reserved for African nursemaids accompanying white children. All other black Africans are forbidden to sit on these benches. (The nursemaids are not allowed to live with their own children.)

Children living in flimsy shacks in Santiago, Chile. According to the Universal Declaration of Human Rights, everyone is entitled to decent housing —and children are entitled to "special care and consideration."

Human Beings and Human Cultures

Whatever human beings may be by nature, they behave as they do largely because of the social environment in which they grow up—because of their *culture*. An anthropologist, Clyde Kluckhohn, has described the powerful effect that culture has on behavior:

> Some years ago I met in New York City a young man who did not speak a word of English and was obviously bewildered by American ways. By "blood" he was as American as you or I, for his parents had gone from Indiana to China as missionaries.
>
> Orphaned at an early age, he was reared by a Chinese family in a remote village. All who met him found him more Chinese than American. The facts of his blue eyes and light hair were less impressive than a Chinese style of gait, Chinese arm and hand movements, Chinese facial expression, and Chinese modes of thought. The biological inheritance was American, but the cultural training had been Chinese.
>
> He returned to China.

---

1. If you had been brought up among the Tasadays, do you think you would behave the same as a Tasaday, or would you behave differently? Explain your reasoning.

2. Many people argue that the major reason why some persons mistreat others is prejudice—automatically viewing people of another color, religion, nationality, or economic position as "inferior" and thus "unequal." Would you agree? What other reasons can you suggest?

3. Do you think that people who mistreat others might be afraid of them in some way? Explain your reasoning.

The Variety of Human Cultures

The different ways of life that human beings have created, in adapting to their natural environments and to each other, are enormous in their variety.

In the United States, for example, many elderly people are given little respect, and many live in lonely poverty. In some Oriental and Latin American societies, on the other hand, the old are regarded as highly valuable members of the society, are looked up to with respect, and are well cared for by loving families.

Many children in the U.S. are taught to compete with their

classmates, and to try their best to win at sports and games. Hopi Indian children of the Southwest, on the other hand, are taught just the opposite.

Some things, of course, *are* universal in human societies. All cultures have some kind of family organization. All maintain order within groups through some type of government. All try to cope with the unexplained aspects of life through some set of religious beliefs.

But various societies do these things very differently. Thus it is difficult to establish a set of basic human rights, such as those listed in the Universal Declaration of Human Rights, for *all* peoples to endorse and to protect.

Take the family as an example. The Universal Declaration states that "the family is the natural and fundamental group unit of society and is entitled to protection by society and the State." In traditional Arab society, few people would probably quarrel with that statement. The sacredness of the family and family honor are keystones of Arab society.

But though it is an Arab woman's duty to maintain and uphold family honor, it is the Arab man who decides when that honor has been violated. Some Arab men, therefore, might object to another statement in the Universal Declaration: that "men and women . . . are entitled to equal rights . . . during marriage."

Under Lebanese law, a man is allowed to punish—and even kill—a female member of his family if he decides that she has acted dishonorably:

Beirut, Lebanon *March 3, 1973*

A man who choked his 15-year-old daughter to death because he said she "flirted with boys" has just been released from prison. He was given a presidential pardon after serving nine months of a seven-year sentence.

The father benefited from a custom, established in the penal code of Lebanon, that permits a man to kill a female member of his family who "dishonors the family" through sexual misconduct.

"We want murder to be treated by the courts as murder without any special right to kill being in the law," said a woman member of a group of lawyers who have begun a drive in the Lebanese Chamber of Deputies for the elimination from the penal code of Article 562, which establishes the male privilege of killing for the "honor of the family."

"This article actually encourages crime that is rooted in customs that are based on the concept of women as property."

A Lebanese woman cannot enter into any commercial activity without

the consent of her husband, and she needs the permission of her husband or father to obtain a passport.

The Lebanese Constitution declares that "all Lebanese are equal before the law," but legal codes make clear distinctions between men and women in many areas.

---

1. Which of the human rights listed in the Universal Declaration (Appendix A) are violated in this case?

2. What might a Lebanese man say in defense of the custom of "honor killing"? How might a Lebanese woman respond?

3. Do you agree with the Lebanese lawyer who argued that Article 562 "encourages crimes"? Explain your answer.

4. Do you agree that Article 562 encourages men to view "women as property"? What does this mean? Explain your answer.

As people in any society grow and develop, most learn to act in certain ways that the society approves. Unfortunately, some of these ways may result in a loss of dignity, pain, or even death for other people.

Customs and rights often conflict. This is why the Universal Declaration of Human Rights states, in effect, that *all* people are human. All people—no matter who they are or where they live—are "members of the human family," and therefore entitled to certain rights.

QUESTIONS AND ACTIVITIES

Ideas to Think About

Do you think you have ever violated another person's human rights? If so, which ones? How did you feel?

Is there any person or group that seems to you to be a little less than human? Why?

Issues to Talk About

Do you believe your human rights have ever been violated? If so, which ones? How did you feel?

Is there something inborn in human beings that causes them to treat other people in certain ways?

- Is the law an effective way to fight prejudice? Would changing the laws of Lebanon prevent prejudice against Lebanese women?

Facts to Find Out About

Find examples of groups and individuals who have moved from one culture to another. Have such moves always been by choice? Have the reasons for moving been related to human rights?

Chapter Two:
The Struggle for Human Rights

Rights are conditions or powers to which people are entitled by law or custom.

The first ten amendments to the United States Constitution—the Bill of Rights—are examples. For Americans, the rights listed in this document are protected by *law*.

The Universal Declaration of Human Rights is another list of rights. It is not, however, a legally guaranteed list. Instead, it is a statement of belief. The members of the United Nations believe that certain rights and freedoms are worth protecting because their guarantee will help produce a better kind of world. The Declaration lists some thirty rights that the signers hope to have universally recognized and protected. The member nations of the United Nations have "pledged" to try to "promote respect" for these rights and freedoms and eventually "to secure their universal and effective recognition and observance."

The degree of protection for any particular right varies from country to country. Many nations, in fact, deny several of the rights listed in the Universal Declaration, as the following three incidents illustrate.

New York, New York *June 24, 1973*

Innocent Americans around the country have been subjected to dozens of mistaken, violent, and often illegal police raids by local, state, and Federal narcotics agents in search of illicit drugs and their dealers.

An eight-week investigation by *The New York Times*—consisting of inter-

views with victims of the raids, policemen and narcotics agents—has shown that . . . during the last three years, mistaken raids have been made by narcotics agents on all government levels, often acting on . . . tips from informers.

Such incidents have resulted in at least four deaths, including one policeman slain when a terror-stricken innocent woman shot through her bedroom door as it burst open. In California one innocent father was shot through the head as he sat in a living room cradling his infant son.

Details of each raid vary, but generally they involve heavily armed policemen, arriving at night, often unshaven and in slovenly "undercover" attire, bashing down the doors to a private home or apartment and holding the innocent residents at gunpoint while they ransack the house.

Sometimes the agents have warrants and identify themselves. Sometimes they do not.

Frequently, the raiding party is rude, abusive, and . . . shouts obscenities at its terrified victims.

The incidents . . . underline what some view as an inherent danger in "no-knock" narcotics raids, which were authorized for Federal agents by Congress in 1970. Some states have similar statutes.

Under these laws the police may obtain a special no-knock search warrant authorizing them to break into homes unannounced if there is probable cause to believe that the property sought can be quickly destroyed or disposed of or if giving notice of police presence could endanger an officer or other person.

The raids are frightening for both raided and raider. The tactics are based in part on the theory that a sudden, overwhelming display of police force will quash any thought of resistance and secure evidence before it can be disposed of.

"You have to go in with the idea that this guy is going to fight," said Clyde Charles, an agent who asked that his real name not be used. "He's always being shaken down by other pushers. So you figure you'll be staring down a gun barrel.

"I've been on 200 or so raids," he continued, "and the no-knock is the scariest. You ask yourself, what would you do if your door came crashing down at 3 A.M. and you had a gun. You'd let go, right? Personally, I think the danger might outweigh the value."

But the agents themselves admit to some "funny business" regarding the requirement to announce themselves on other than no-knock raids. "You might whisper, 'Open up! Police!'" one said. "Or you could yell it the instant before you hit the door."

Another drug official added: "It's hard for outsiders to set a normal standard of behavior. You can't ask an agent to spend three months on a case and then expect him to announce himself politely and listen to every toilet on the floor flush away the evidence. You have to be a saint to do that."

London, England *April 15, 1973*

A sobbing teenage girl was found Friday morning cowering in a telephone booth. Her face and body were bruised and she had a black eye. She claimed that the family she worked for had beaten her. Her story was

typical of thousands of Filipino girls who have come to England as domestic servants. These girls are signed up in the Philippines with the promise of good working conditions and decent wages as domestic workers in British homes.

Many of them find on their arrival in Britain that they must work 10 to 14 hours a day for a wage considerably below the British minimum, as the girls must also pay off their plane fare to Britain. Frightened of deportation or jail for violation of contract, the girls have nowhere to turn and no one to assist them. The agencies which conscript these girls from Asian countries for service in European nations have been accused of establishing a "new slave trade."

Ranisarai, India *October 5, 1973*

Paran Paswan is a laborer in bondage like his father and grandfather. "My sons will also be in debt to the landlord," he says with a shrug. "The landlord keeps us."

Standing beside a sun-drenched rice field with several other laborers, Paran Paswan laughs gently. "It's my fate, it's my children's fate," he says in Maghi, a local dialect. "If we have enough food, I'm happy. If we don't have enough, I beg the landlord for more."

The powerful system of bondage has no basis in law in India. But custom, illiteracy, political manipulation, and corruption have merged to make the system dominant in backward states such as Bihar, in the northeast. At this point, 26 years after Indian independence, the system shows few signs of withering.

Bondage—or kamoti as it is called here—engulfs a peasant in permanent debt to a landlord. If the laborer dies, the debt and bondage pass on to his son. By keeping wages low and forcing peasants to beg for loans that they can never repay, the landlord makes sure that peasants are in permanent bondage to him and his own sons.

1. Examine the Universal Declaration of Human Rights (Appendix A). Which of the rights listed there were violated in each of the above cases?

2. How might an Indian landlord defend bondage? How might the peasants respond?

3. How might an English employer defend his or her treatment of a Filipino houseworker? How might the houseworker's relatives respond?

4. What differences do you notice among these incidents? What similarities?

Rights, therefore, can be and often are violated. During the past two hundred years many people have worked to have certain rights guaranteed by law. Appendix B lists important landmarks in the struggle to guarantee human rights by law.

During the last part of the 18th century, two very important revolutions took place in the Western world—the American and the French. In both instances, a large number of people felt that they were being oppressed, that their rights were being denied, and that the laws of the time were against them rather than for them.

The American revolutionaries, out of "a decent respect for the opinions of mankind," stated their ideas about government and rights very clearly in the Declaration of Independence. First, they made a statement about human beings. All men are created equal, they said, and all have certain "unalienable Rights"—rights that cannot be taken from anyone. (Slaves, however, were not considered as whole persons, leaving a bitter heritage for present-day blacks. Indians were not regarded as persons at all.)

Then the Declaration stated: "To secure these Rights, governments are instituted among men." Thus, according to the signers of the Declaration of Independence, the purpose of government is to guarantee human rights.

The American colonists went on to explain why they revolted against Great Britain. They said that if a government didn't assure human rights—or didn't enforce them—then the people could "alter or abolish" the government. This they claimed as "the right of revolution."

This idea has been very significant in many of the revolutions that have taken place during the 19th and 20th centuries. A number of revolutionaries in other lands have modeled their own statements of purpose on the Declaration of Independence.

The new American government that was established in 1789 guaranteed that, in the United States, certain human rights would be protected by law. In the same year the French Declaration of the Rights of Man stated that the purpose of "all political organizations" was the assurance of human rights.

With the ratification of the first ten amendments to the Constitution, in 1791, an American Bill of Rights became part of the law of the land. The Bill of Rights specifies particular rights that the federal government may not violate. In spite of such legal guarantees, however, many groups of Americans have felt obliged to protest on behalf of their own rights. They have included Catholics,

Jews, Italian Americans, factory workers, blacks, women, and many other groups. Here is an example:

Wounded Knee, South Dakota *November 11, 1973*

When the beleaguered American Indian Movement ended its 71-day occupation of Wounded Knee on May 8, its leaders vowed to continue fighting, violently if necessary, for Indian rights.

For a moment, A.I.M. had caught the attention of the American public. It reaped scorn from some, sympathy from others. Many saw it as the leader of a new national rights movement, similar to the civil rights struggle of the early 1960s.

There is no shortage of issues. Treaties are violated. Poverty is rampant. Resources are plundered. Towns close to Indian settlements fill their court dockets with Indian drunks. And Indian children continue to be taught that George Washington is the father of their country.

If anything, however, there is a shortage of Indians. The leaders of the civil rights movement had a working constituency of more than 20 million black people. Indian leaders have only 843,000 people, or less than one-half of 1 per cent of the population of the United States.

Second, Indians are scattered and isolated. Half live on or near reservations and the rest live in cities and small towns across the country.

There are more than 300 reservations and other Indian land units totaling 55.4-million acres around the country. The area is about the size of Utah, and generally as barren. Reservation dwellers have precious little clout in Washington. As Leon F. Cook, past president of the National Congress of American Indians, says: "The Indian gets less attention than pelicans, bald eagles, whooping cranes, and coral reefs." In fact, Indian affairs in Washington are largely managed by the Department of the Interior, the agency responsible for national parks, forests, fish, and wildlife.

Competition within tribes for positions close to federal money is divisive, and militancy by tribal leaders is frowned upon by those in the Bureau of Indian Affairs (B.I.A.) who dispense these funds.

The result, say the few moneyless militants, is a divided national Indian leadership populated by Uncle Tomahawks, or "apples," red on the outside, white on the inside.

The A.I.M. takeover of the B.I.A. headquarters in Washington a year ago and the siege at Wounded Knee this spring appeared to give young, frustrated Indians a leadership model they could not find among tribal leaders who wore white men's clothes or among tribal elders weakened by alcoholism.

What followed, as Wounded Knee and its aftermath got the attention, was a little-publicized revolt in Indian-populated schools around the country over such simple issues as hair and dress codes. Many school systems, whose textbooks picture Indians with long hair, expel Indian students attempting to dress like their ancestors. In several schools, Indian students walked out, or sat in. They demanded Indian teachers, Indian language classes, Indian culture studies.

At Window Rock, Ariz., a ruckus that resulted when a long-haired Indian was kicked off the football team

led to the hiring of the school system's first Indian superintendent.

The leaders of the American Indian Movement now face long criminal trials stemming from Wounded Knee and other demonstrations. They claim they are hounded by the Federal Bureau of Investigation and they are locked in a power struggle on the Oglala Sioux reservation, the site of Wounded Knee, with Sioux leaders opposed to their tactics.

But on the Sioux Reservation and in other Indian communities around the country, a new sense of pride and purpose is growing. Young Indians embracing A.I.M. are beginning to have an influence on their elders. And with two-thirds of the Indian population under 25 years of age, the elders may be forced to listen.

1. What reasons do you think the A.I.M. might have given for its actions?

2. How would you explain the fact that many people are opposed to the A.I.M.?

3. Are the A.I.M. actions consistent with the ideas expressed in the Declaration of Independence? Explain your reasoning.

In the 18th century, the American colonists believed that the right to abolish an unjust government was so important that they went to war to establish a more just government. In today's era of nuclear arms, nerve gas, and biological weapons, war is so potentially disastrous that it could destroy humankind. Highjackings, sabotage, and acts of political terrorism have produced in many people an increased fear of violence.

Many people today believe, therefore, that violence is not the most reasonable way to exercise or achieve rights. The Universal Declaration says it is essential "that human rights be protected by the rule of law." Otherwise human beings would be forced, as a last resort, to seek "*rebellion* against tyranny and oppression."

Laws, however, can be used badly or well. They do not necessarily guarantee that rights will be protected. In fact, laws can be passed which restrict people's rights. Many people consider the laws involved in the following situation to be restrictive.

Capetown, South Africa *October 20, 1970*

Every day they line up in the privately run welfare centers—black women, young brides, mothers of large families, widows and the aged, all with the same problem: They have been ordered to leave their homes and families.

It is the black women who suffer most under the mass of legislation and regulations that underlie the Government's policy of apartheid, or separate racial development.

One aim is to reduce the number of blacks living in white urban areas. Since black labor is necessary to white industry, African men are allowed to remain in white areas conditionally, preferably as contract labor without family or as "bachelors" in hostels.

Black women and children are officially considered "superfluous appendages," and more and more are being forced to go to the black "homelands"—poor, undeveloped areas set aside by the Government.

The Athlone Advice Office reported hearing 1,800 cases last year, concerning family groups and individuals seeking a way to resist official pressure for resettlement.

The office, in a colored area on the outskirts of white Capetown, is run jointly by the Institute of Race Relations and Black Sash. The Institute is engaged mainly in research to publicize the facts of separate development; Black Sash is a white women's volunteer group that has led protests against major racist legislation and action by the Government for 15 years.

Black Sash has embarked on a national campaign to protest against discriminatory legislation affecting black women.

"Grea wrongs are being perpetrated upon African women," it declared in a recent appeal to other women's organizations. The main abuses listed are:

Women are prevented from living with their husbands who work in white urban areas.

Wives of contract laborers can see their husbands only once a year for a couple of weeks at the end of a contract. They live in unnatural communities, where there are only other women, children, and old people.

Working women in urban areas must send their children to rural relatives; the children then lose all right to reside in urban areas.

Under the widely criticized Urban Areas Act, no black woman may remain in an urban area for more than 72 hours unless she can prove that she has lived there continuously since birth, or for a continuous period of 15 years, or for 10 years working for one employer.

1. Which rights from the Universal Declaration (Appendix A) are denied to these Africans?

2. How do you think a government official in South Africa might defend these laws?

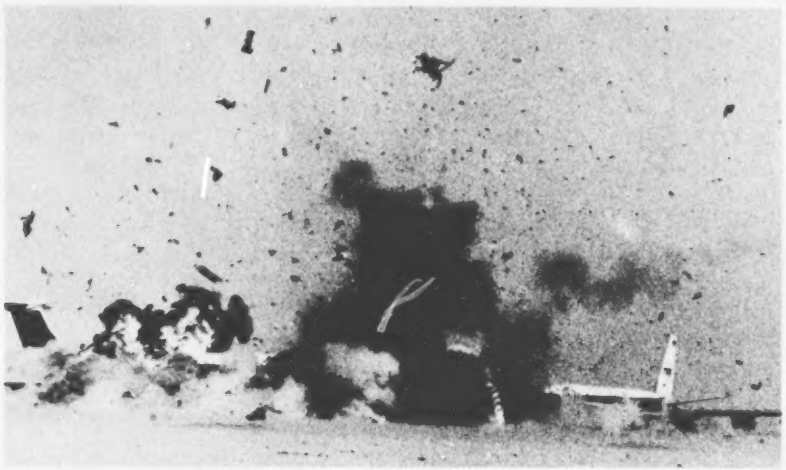
3. How do you think a member of Black Sash or the Institute of Race Relations would argue against these laws?

Can Treaties Protect Human Rights?

In 1948 the U.N. General Assembly approved the Universal Declaration of Human Rights as a statement of goals. This Declaration was intended as the first stage of an "international bill of

A Sioux from South Dakota, armed with a wooden club, stands guard at the Bureau of Indian Affairs building in Washington, D.C. In 1972 members of the American Indian Movement seized and held the building for a week to protest violations of Indian rights.

In some parts of the world, frustration of human rights may lead to violence. In Northern Ireland, where Catholics and Protestants accuse each other of violating human rights, a thousand lives were lost between 1969 and 1974. Above: A masked gunman of the Irish Republican Army.



In the Middle East, where Arabs and Israelis accuse each other of violating human rights, war broke out four times between 1948 and 1973. Above: A highjacked airliner being blown up by Arab guerrillas (after evacuation of passengers) in an anti-Israeli protest.

rights." All member nations promised to work toward the fulfillment of these rights.

In 1966 the General Assembly adopted two "covenants" as the second stage in the international protection of human rights. The covenants will become international law after 35 nations have ratified or agreed to them.

The purposes of these covenants are to describe specific human rights more clearly, and to get governments to agree to provide for the legal protection of these rights.

A covenant is a formal agreement between two or more parties. It is a form of treaty, and therefore part of the body of international law. When a government agrees to a treaty, it promises to observe its provisions. For instance, trade treaties set forth the terms or rules under which the nations involved will trade with one another.

Treaties, however, are different from laws governing nations within their own borders. There is no world executive or world police force to enforce a treaty, or any other kind of international law. Nations obey international law only if they wish to. They can't be made to do so. There is nothing to prevent national governments from interpreting international law in ways to suit their own purposes.

So even after they have been ratified by 35 nations, it may still be difficult to enforce the two human-rights covenants adopted by the United Nations General Assembly in 1966.

One of these is the International Covenant on Economic, Social, and Cultural Rights. The rights in this covenant cover jobs, working conditions, and opportunities to develop skills and choose one's own occupation.

The second covenant is the International Covenant on Civil and Political Rights. This is quite similar to the American Bill of Rights.

These two covenants have already been ratified by several nations, including the Soviet Union. But some nations have placed their own government's interest above the rights protected in the covenants. They have interpreted these covenants to suit themselves.

Moscow, U.S.S.R. *September 28, 1973*

The Soviet Union said today that the two international human rights covenants that it has just ratified gave it specific authority to limit the right of emigration, the free flow of ideas and other individual liberties.

Two major articles in Communist party publications used the covenants today to justify existing restrictions rather than to offer any hope that Moscow was preparing to relax its rules.

The effect of the articles in *Pravda*, the party daily, and *Novoye Vremya*, the party's weekly on international affairs, was to rebut Western criticism of Moscow's handling of human-rights issues and to try to put Western powers on the defensive for not having ratified the 1966 rights covenants themselves.

The two Soviet magazine articles cited provisions of the covenants stating that such individual rights as freedom of religion, peaceful assembly, emigration, reception and distribution of ideas could be restricted by considerations of national security and protection of public order, health, and morals.

1. Why would a government, even though it had signed these covenants, place its "national interests" above them?

2. What advantage is there in trying to get nations to sign such covenants?

3. Might there by any dangers involved in signing such covenants? If so, what might they be?

4. What are the strengths and weaknesses of international laws to protect human rights? Explain your reasoning.

Human rights, then, are frequently violated. At present not even *one* human right—not even the right to life—is universally guaranteed.

Whether *any* human rights will eventually be universally protected depends on all of us. It depends on the kind of world we want to live in and seek to bring about. It depends on the ideas we have as to what is important.

And thus it depends on our values. In the next chapter we shall discuss the relationship between values and human rights.

QUESTIONS AND ACTIVITIES

Ideas to Think About

What makes it possible for some people to violate the human rights of others?

Issues to Talk About

In what ways have the laws of the United States been used to guarantee human rights? Have there been cases of unequal treatment under the law?

Facts to Find Out About

Many people in the United States now claim that their rights are not fully guaranteed. Write to some of the groups listed in Appendix C. Ask each to state its case and provide evidence to support it.

Which United Nations covenants and conventions on human rights has the United States ratified? What are the reasons for failure to ratify certain of them? Write to: United States Department of State, 2201 C Street, N.W., Washington, D.C. 20520. And write to the office of the United States representative to the U.N., 799 U.N. Plaza, New York, New York 10017.

Where do your own representatives in Congress stand on ratification? Write to your Congressman at the House of Representatives, Washington, D.C. 20515. Write to your Senators at the Senate Office Building, Washington, D.C. 20510.

If you do not live in the United States, which U.N. covenants on human rights has your country ratified? If your nation has failed to ratify certain ones, what are the reasons? Write to your Foreign Minister and to your U.N. representative.

Which nations have ratified the U.N. covenants and conventions on human rights? Write to the United Nations Human Rights Commission, Economic and Social Council, 799 U.N. Plaza, New York, New York 10017.

Things to Do

Start a human-rights file—perhaps a bulletin board with one section for each continent. Divide each section into two parts: "Protection" and "Violation."

Under each heading, place magazine and newspaper clippings that give examples of the protection and violation of human rights in that part of the world. For each clipping, note which rights from the Universal Declaration are concerned. If you can, investigate the newspapers and magazines of other countries for different viewpoints on what is happening.

At the end of a month, make an assessment of how well each area seems to be doing. You might want to continue this project for a number of months.

Chapter Three:
Value Conflicts and Human Rights

The Universal Declaration identifies more than thirty human rights that all people are entitled to, regardless of who they are or where they live. The signers of the Declaration stated that they believed these rights to be essential "to peace and justice in the world."

The list of rights in the Universal Declaration was set forth as a *goal* toward which all people and nations should strive.

Another word for goal is the term "value." *Values* represent what people consider important in life. They are ideas about what is good, worth having, worth doing, and worth trying to achieve. Thus the Universal Declaration represents a set of values that the member nations of the General Assembly have pledged themselves to try to attain.

All individuals and groups have values. People are not always consciously aware, however, of what some of their values are.

Words as Clues to Values

People's words, as set down in proclamations, speeches, and other forms of communication, can provide clues about their values. The American colonists, as we have seen, set forth some of their basic values in the Declaration of Independence in 1776: "We hold these truths to be self-evident, that all Men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the Pursuit of Happiness. That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed."

The Constitution of the United States, along with the Bill of Rights, was later adopted partly in order to guarantee the values identified in the Declaration of Independence.

Other types of statements may also suggest what an individual or group values. A statement indicating what an individual or group thinks *should be*, whether it happens to exist at present or not, is called a *value judgment*.

The women's liberation movement states that women *should be* completely equal with men. The Congress of Racial Equality states that blacks *should be* completely equal with whites. The Universal Declaration of Human Rights states that people *should be* able to move freely from one country to another.

Statements such as these are also expressions of hope. They indicate what some people believe could happen or come to be.

The rights listed in the Universal Declaration are both value judgments and expressions of hope. They indicate that many conditions which do not at present exist throughout the world *should* exist, and that they *could* exist. The Universal Declaration is a list of rights that could actually be achieved.

Actions as Clues to Values

Words, therefore, are one clue to values. But people's actions also can provide clues to what they value. Notice, for example, what a person does with his or her spare time.

Suppose someone spends a good deal of time trying to get a particular politician elected to office. The individual gets signatures on petitions, organizes rallies, and rings doorbells. He or she also tries to raise money for advertisements in newspapers, passes out campaign literature, and on election day takes voters to the polls.

If the person is not required to do this, receives no pay, and expects no political favors (such as a job), we would be inclined to believe that the person values this kind of activity. In other words, the person considers the election of the candidate as an important and worthwhile thing to try to achieve.

Consider another example. As a young soldier, the Russian writer Alexander Solzhenitsyn wrote critical letters about life in the Soviet Union. He also made harsh remarks about the Soviet leader, Joseph Stalin.

In 1945, he was arrested and spent the next eleven years in prisons, camps, or in exile in Siberia. He wrote several novels describing the brutality that existed in the government camps for political prisoners. Though the Soviet government banned his

books, and though he was regularly and strongly denounced in the Soviet press, he continued to write and to speak out against the evils he perceived.

In 1970, Solzhenitsyn was awarded the Nobel Prize for Literature. At that time, he commented: "The salvation of mankind lies only in making everything the concern of all. People in the East should . . . be concerned with what people are thinking in the West; people in the West should . . . care about what is happening in the East." Literature, he added, can express "this feeling of the growing unity of mankind."

In early 1974, he received a summons from the Soviet prosecutor's office, ordering him to meet with investigators. He refused. Shortly thereafter, he was arrested. Here is what happened:

Moscow, U.S.S.R. *February, 1974*

Solzhenitsyn was first stripped and searched, then dressed in prison garb. He was questioned for several hours by a team of interrogators but refused to answer questions or sign the usual official report of the interrogation. He was told that the charge against him was treason, for which the maximum punishment is death. [He] was placed before a sham firing squad. . . .

Although the Soviets planned all along to deport him to the West, he was locked in a cell that night under the threat of the death penalty. At 1 P.M., the following day, he was ordered to dress in prison-issue street clothes and driven to Moscow's Sheremetyevo Airport. . . .

Shortly after the dazed and weary writer landed in West Germany, the Soviet news agency Tass . . . announced that Solzhenitsyn had been stripped of his citizenship by a decree of the Supreme Soviet and deported for "systematically performing actions that are incompatible with being a citizen of the U.S.S.R."

On March 30, 1974, Solzhenitsyn's wife and children joined him in exile in Zurich, Switzerland.

1. What does the statement by Solzhenitsyn on this page suggest about his values?

2. Might anyone fear a statement like this? If so, who? And why?

3. What human rights has the Soviet government violated in its treatment of Solzhenitsyn?

4. Based on its treatment of Solzhenitsyn, what would you say the Soviet government values?

Both words and actions, therefore, are clues to what people value. We can never be absolutely sure, however, since both individuals and governments may at times be trying to deceive or confuse us. We must watch what people and governments *do* in order to see if their actions live up to their words.

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1. People often say one thing, but do another. How would you explain this?

2. What does such behavior indicate about a person's values?

Thus, the ways in which a government treats its citizens often can give us clues to what the government values. So can the kinds of policies that a nation endorses and the methods that it uses to carry out these policies. For example, as we saw in Chapter 2, South Africa has a policy of *apartheid*—strict racial segregation—accompanied by discrimination against all black and other "colored" peoples who live in South Africa.

The population of South Africa is about 19 percent white, the rest being African, Asian, or other colored peoples. Here are some statistics and other facts about South Africa:

- The average wage for Africans is about 1/6 the average wage for South African whites.
- Whites, who make up 19% of South Africa's population, control 69% of the national purchasing power.
- African trade unions are not recognized by white employers. Black workers have no effective machinery for collective bargaining.
- The government spends 10 times as much money per pupil for white students as for Africans.
- All but 13% of the available land in South Africa has been designated a white area in which Africans are not entitled to most ordinary rights.
- 8,000 African, Asian, and other colored families are removed from their homes every year and resettled in areas set aside by the government for their occupation.
- In 1969–1970, the average daily prison population in South Africa was 90,555. Of these prisoners, almost 71,000 were Africans.
- Officially, 25,514 whip lashes were inflicted on persons as punishment for crimes during 1969–1970 in South Africa. Of this number, only 337 were inflicted on whites.

What do these facts suggest about the values of the South African government?

Value Conflict

Values often come into conflict with one another. Imagine the following situation:

The President of Bhukim, a small developing nation in Asia, is worried. Most of his advisers urge that more and more of the country's national budget be spent on industrial development. They believe this will help their nation compete more advantageously with the more industrialized nations of the world. Many factories and other types of industrial plants have already been built as a result of this desire to compete.

A few of the President's advisers, however, have warned him that much of the country's natural environment is being seriously damaged in the process. Forest land is diminishing, lakes and streams are being polluted, farm and park land is being paved over for roads and factory sites.

The President wants his country to become a strong industrialized nation in order to compete economically. He also wants to provide and maintain a decent, healthy environment in which his people may live. What should he do?

This President finds himself in a situation where two of his values conflict. He values not only industrialization but also a healthy, natural environment. Such conflict is not uncommon. We all frequently find ourselves in such dilemmas.

Freedom of speech, for example, is regarded by many as a basic value of a democratic society. But what if a speaker is encouraging a crowd to lynch someone?

Law enforcement is a value supported by many. But what if this means informing on a friend you have seen shoplifting?

Loyalty to one's country is a virtue endorsed by most. But what if this means participating in a war that one's conscience says is immoral?

This last dilemma points up a type of value conflict that has worried men and women for centuries: what to do when one's individual values come into conflict with the values of one's government.

This happened in the United States when many young men, opposed to the Vietnam War, were torn between loyalty to their country and opposition to a war they considered immoral. Some refused to be drafted and went to jail. Others fled to Canada. Some were drafted but then deserted. And many served in the armed forces.

During the Vietnam War, American society experienced sharp value conflicts—for instance, disagreements over the best way to achieve peace and freedom for Southeast Asia. In 1967, peace marchers confronted military police outside the Pentagon.

To protest against the Vietnam War, a young man wearing the uniform of a Green Beret—the U.S. Army's highly trained Special Forces—participated in a draft-card burning ceremony.

Federal narcotics agents, acting under the "no-knock" law, dashing from their helicopter to seize a drug suspect in 1973. Shot and killed while fleeing, the suspect turned out to have been innocent. The "no-knock" law points up a difficult value conflict in U.S. society—the value of individual rights vs. the value of law enforcement.

A government's values, like a person's values, are often inconsistent. In South Africa, there has been a value conflict between the government's racial policies and the country's economic needs. In one case, the government resolved this conflict by rather odd means:

Johannesburg, South Africa *March 16, 1970*

Japanese swimmers were allowed to compete here against whites after the Prime Minister revised the status of Japanese to "Honorary Whites."

He stated, "We sell to them and we buy from them. It is the normal and correct thing. One cannot trade without certain contacts, and so the Japanese must come to South Africa in connection with trade contacts. But there are never more than 60 to 100 in the country at any one time, so there is no threat from these temporary trade relations."

Japan is important to South Africa. It takes one-eighth of her exports and is South Africa's second largest market.

The Japanese Vice Consul said that although Japanese have been refused service in restaurants and ordered off segregated busses, "Most Japanese here are satisfied. One of the problems is that we are often mistaken for Chinese people."

There is no important trade between South Africa and China, Taiwan, or Hong Kong. The more than 6,500 permanent residents of Chinese ancestry are generally left in peace when there are no complaints from whites.

Yet, occasionally, there will be reports of a Chinese convicted of unlawfully occupying a house in a white area or that Chinese have been barred from a billiard parlor or a miniature golf course. The Chairman of the Chinese Association in Transvaal Province issued this statement: "We are grateful for sympathy, but those who sympathize can help us most by keeping their mouths shut."

1. What is the value conflict in this case? How was it resolved?

2. What is the "threat" that the South African Prime Minister refers to in the second paragraph of this story?

3. What do you think the Chinese Chairman means when he says, "Those who sympathize can help us most by keeping their mouths shut"?

4. Are economic well-being and human rights related in any ways? If so, how?

In the United States, the value of law enforcement often conflicts with the value of individual rights. The problem of drug abuse, as we saw in an earlier chapter, may produce such value conflict:

Chicago, Illinois *November 3, 1973*

Senator Charles H. Percy has decided to introduce within two weeks legislation to repeal the controversial "no-knock" provision of the Federal statutes on drug abuse.

At the same time, the Illinois Republican will introduce other legislation to enable innocent victims of mistaken drug raids to sue the Federal Government for damages. Such remuneration is very difficult to obtain now and requires extended bargaining and individual legislation.

Senator Percy's decision, announced in a statement released here today, is the first concrete step toward Federal legislative changes after a series of illegal drug raids at wrong addresses in downstate Illinois last spring.

These included the much-publicized Collinsville raids on the homes of Donald Askew and Herbert Giglotto. There, among other raids, agents of the now-defunct Federal Office for Drug Abuse Law Enforcement kicked in doors, ransacked dwellings, and held the families at gunpoint while shouting obscenities, apparently before realizing they were in the homes of innocent people. The agents had no search warrants.

In June, a two-month investigation by *The New York Times* disclosed that many violent, illegal, and mistaken drug raids had been conducted by agents on all levels of government around the country. At least four persons have died in such incidents.

In August a dozen agents involved in the Illinois raids were indicted for conspiracy to violate citizens' constitutional rights.

"If the past few months have taught us anything," Senator Percy said, "it is that excessive zeal, even in the pursuit of so worthy a purpose as drug law enforcement, cannot be allowed to destroy the fundamental rights of American citizens."

Specifically, Mr. Percy's bill would delete the so-called no-knock provision from the Comprehensive Drug Abuse Prevention Control Act of 1970. That act, among other things, permits Federal narcotics agents to enter premises without announcing themselves if they obtain a special no-knock warrant and show that announcing themselves would endanger the agents or allow drug evidence to be destroyed.

1. What is the value conflict in this story? Try to find out which constitutional rights of American citizens are involved.

2. Can a conflict between law enforcement and individual rights be resolved? If so, how? Explain your answer.

How to Clarify Value Conflicts

Value conflicts often emerge over different ways to achieve a certain goal. For example, during the war in Vietnam, two Ameri-

cans might have agreed on the same values: peace and freedom for the people of Vietnam. But one person might have made a value judgment that defeating the Communists in Vietnam was the best way to achieve peace and freedom in that country. Another person might have disagreed and made another value judgment that the best way to achieve peace and freedom in Vietnam was for the Americans to leave Southeast Asia altogether.

Still another person might argue that Americans were not really in Vietnam to achieve peace and freedom for the Vietnamese, but rather to uphold American power in Southeast Asia. Someone else might say that this was necessary. Another person might disagree, arguing that many people in the United States were suffering because money that might be used to help Americans was being spent to uphold American power in Southeast Asia.

The 1960s were troublesome times for Americans caught up in these deep value conflicts.

Look again at Question 2 on page 33. When values conflict, intelligent decision-making is often complicated and difficult. Citizens must make very subtle judgments in balancing the various competing interests in a society.

For example, should there be a law that makes it easier for the police to arrest suspected criminals—even at the risk of restricting individual human rights? Although there is no easy answer, there are six steps that are useful in clarifying value conflicts of this sort:

(1) What is the conflict about? *(In this case, are individual rights or law enforcement more important?)*

Is the conflict between different goals? *(Is strict law enforcement desirable for the safety of all citizens? Is it preferable to put restrictions on police power in order to maximize personal freedom?)*

Or is the conflict one of different means to the same goal? *(What is the best way to achieve a society that assures personal safety but does not deprive individuals of their human rights?)*

(2) What do the two sides disagree about? *(Why do some people believe that a no-knock law will make the United States safer, while others believe that it might be unwise or even dangerous?)*

(3) What do the two sides think should be done? How do their suggestions differ? *(Senator Percy recommends repeal of the no-knock statute. Supporters of the no-knock law call for continued use of that statute so that more drug offenders may be arrested and, if found guilty, imprisoned.)*

(4) What are the likely results of each suggested plan of action? What might happen if each of the recommended policies or actions is carried out? *(If the no-knock provision always took priority over individual rights? If civil liberties were at all times valued more highly than law enforcement?)*

Who would be affected and how? *(Habitual drug offenders? Drug users? Ordinary citizens? Future generations?)*

(5) How likely is it that each result will occur? Are there any examples of similar conflicts in the past? *(Has the enforcement of a criminal statute ever threatened to deprive individuals of their human rights?)* If so, what happened in those instances?

What do experts in the field (if there are any) think will happen? *(Constitutional lawyers? Law enforcement officers?)*

(6) What consequences would you want to occur? *(In your state or community? In the United States as a whole?)* What needs to be done to bring about desirable consequences? To prevent undesirable consequences?

The authors of this book believe that the present world can be changed so as to improve the quality of life for individuals. One of our values is to try to create a world in which all people, whoever and wherever they are, may live in human dignity. By this, we mean living in such a way that basic human rights, as defined in the Universal Declaration, are guaranteed to everyone under law, and under such conditions that no one is allowed to violate those rights.

How can this be done? In Chapter 4 we shall describe some of the things that various individuals and groups are doing.

QUESTIONS AND ACTIVITIES

Values to Think About

What are some of your values? Do any of them ever conflict? How have you dealt with your personal value conflicts?

Issues to Talk About

What are some of the values in your community? What facts can you find to show how (or if) they are being attained?

"National priorities" is a phrase which refers to the important goals of a nation. What are some present national priorities in your country? What values do they reflect?

Facts to Find Out About

What might the South African government say in defense of the policy of apartheid? Write to one or more of the following agencies to obtain information: Republic of South Africa Consulate, 655 Madison Avenue, New York, New York 10021. Republic of South Africa United Nations Delegation, 300 East 42nd Street, New York, New York 10017. Republic of South Africa Embassy, 3051 Massachusetts Avenue, N.W., Washington, D.C. 20006. South African Trade Office, 655 Madison Avenue, New York, New York 10021. South African Tourist Office, 610 Fifth Avenue, New York, New York 10020.

Invite representatives from local organizations (such as the Red Cross, the National Association for the Advancement of Colored People, B'nai B'rith, the League of Women Voters) to talk about what they value. Ask them to state their goals. What conditions caused them to establish these goals? What means do they use to try to attain their goals? How do their goals relate to what you value?

Things to Do

Look through your human-rights file or listen to TV for some value conflicts involving human rights. Choose one conflict. Then apply the six steps described on pp. 34-35 in order to decide which position is most worthy of support. Obtain as many facts as you can about the case. Try to think of *all* the options available to the conflicting parties in this value conflict.

For every option, decide what might happen if each party achieved what it is seeking. What would be the likely result? Would each result protect or violate the human rights of any persons or groups? Use the Universal Declaration (Appendix A) as a resource. Then determine *how* each result would protect or violate human rights.

Now rank the options you have examined—from most desirable to least desirable—depending on the degree to which each is likely to protect the rights set out in the Universal Declaration. Which alternative seems most capable of protecting human rights? Why?

Next, try to do something about the issue. You could write letters to the editor of your local newspaper. You could conduct a campaign to educate members of your community about the problem. What else could you do?

Chapter Four:
What Can Be Done to Protect Human Rights?

The Universal Declaration of Human Rights, then, is a statement of values, of goals—of hopes.

What can be done to put these hopes into practice in the real world?

What *is* being done?

What Individuals Can Do

In today's complicated world, a single individual may feel powerless to achieve anything important. Yet it is amazing how much one person can do—if she or he is determined enough.

In the 1950s, black people who lived in the southern part of the United States lived under Jim Crow laws. These laws segregated black people from white people. Blacks were required by law to eat in separate restaurants, to go to separate schools, to drink from separate drinking fountains. In courtrooms they were required to swear oaths on separate Bibles.

Segregation was even evident on city buses. There were no black drivers. The white men who drove the buses often were polite to black passengers, but sometimes they were not. Many blacks reported paying their fares at the front door of the bus and then being told to reboard the bus at the rear door. It was not unusual for a bus driver to pull away before black passengers had time to reach the rear door.

Even when blacks did board a bus, they could not sit in certain seats labeled "whites only." Blacks could si. only in the rear section marked "colored." If the "whites only" section filled up, the drivers would ask black

passengers to stand so that the white passengers could be seated. If a black person refused to stand up, he or she was arrested.

These were the conditions in Montgomery, Alabama, on December 1, 1955, when Rosa Parks, a seamstress in a large department store in Montgomery, boarded a city bus. She sat in the first seat of the "colored" section. As the bus proceeded along its route, all the seats filled up.

Several more white passengers boarded the bus. As was the custom, the driver pointed to the section in which Mrs. Parks was sitting and said, "Let me have those seats." This time, however, none of the blacks, including Rosa Parks, moved. The driver spoke again, "You better make it light on yourselves and let me have those seats." Three of the other black passengers moved to the back of the bus.

Rosa, however, refused to move. She was weary from her hard day's work at the department store, and from the years of humiliation she had experienced. She stayed in her seat. The driver then got off the bus and called the police.

When the police arrived, Rosa asked them, "Why do you push us around?"

"I don't know," said the officer, "but the law is the law and you're under arrest." Rosa was then arrested, fingerprinted, and charged with violating the city's segregation law.

When word of her arrest spread through the city, the black community began to act. Led by local college students and several ministers, including Martin Luther King, Jr., and Ralph Abernathy, blacks agreed to stay off the buses on the day of Rosa's trial.

Thus began the action that became known as the Montgomery bus boycott. Black people stopped riding the city's buses. People organized car pools. Many walked great distances to work.

Because the bus company lost 65 percent of its business, it had to cut back its schedule and lay off drivers. Finally it stopped running entirely. The business of white storekeepers suffered. The city of Montgomery had become a non-violent battleground for human rights.

In November of 1956, the Supreme Court of the United States ruled that bus segregation violated the United States Constitution. The Montgomery bus company then agreed not only to end segregation but also to hire black drivers and to treat all passengers with equal respect.

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1. What do you think Rosa Parks might say if someone asked her to explain why she refused to move from her seat?

2. What human rights were violated in this instance?

3. What methods did Rosa Parks and others use to protect the rights of blacks in Montgomery?

4. Do you consider these methods effective? Why or why not?

Individuals can often draw attention of the news media to violations of human rights. Archbishop Camara, an active critic of Brazilian government and society, has done this in his country. He

and his supporters have worked to help the poor of Brazil to help themselves:

Recife, Brazil *November 11, 1973*

The Most Rev. Helder Camara, the outspoken Archbishop of Olinda and Recife, appears to be living under continual police harassment.

The 64-year-old Archbishop, known to his parishioners as O Velho (The Old Man), is subjected to phone tapping and raids on his office in this state capital in the poor northeast of Brazil. Associates of his have been arrested.

But the Archbishop says: "What hurts me is that they are not doing anything to me and they probably never will. They just persecute and arrest my friends and hope I will desist. But I cannot, never."

Archbishop Camara, small and frail, wears a wooden crucifix instead of the golden cross of his office. He left the Archbishop's palace to live in a simple room at the back of a church.

He spends much time taking his helpers by foot or in a van across town to prevent their arrest or harassment.

Six of his closest associates in a rural campaign called "Operation Hope," intended to show the poor how to help themselves, have vanished without trace recently. The Archbishop says that three others reappeared, shocked and dazed, after being picked up by secret police.

"Their aim is to force me to give up," he said. "But I will not, as much as it pains me to see all my friends being picked up one by one."

1. What human rights are being violated in this instance?

2. What methods is Camara using to achieve human rights?

3. Camara says, "What hurts me is that [the police] are not doing anything to me and they probably never will. They just persecute and arrest my friends." Why do you suppose the police do not do anything to Camara?

4. Do you think that Camara sees a conflict between two values—the human rights of the poor and the safety of his friends? Do you believe that he made the right decision? If you faced a similar value conflict, how would you decide?

What Private Groups Can Do

Most individuals, of course, do not act alone in the cause of human rights. Many join organizations to increase their effectiveness. In the United States, for example, there are many private groups devoted to problems of human rights. (See Appendix C.) These include organizations such as the National Association for the Advance-

ment of Colored People, the American Civil Liberties Union, and the National Council of Churches.

Some activities of the National Council are described in the following statement made in January 1974 by a Council leader:

> United States Churches have long been concerned about the oppression of millions of black people by a white minority in Southern Africa. We have spoken out against apartheid in South Africa, colonialism in Angola, Mozambique and Guinea-Bissau, the illegal declaration of independence in Rhodesia and the illegal occupation of Namibia by South Africa.
>
> United States Churches have joined in the fight for self-determination, independence and dignity for black people in Southern Africa. Many denominations have contributed funds to the humanitarian work of liberation movements fighting in Southern Africa. We have worked in Washington to change United States government policies which support white minority rule in Southern Africa. And today we announce another chapter in our pressure on United States corporations investing in Southern Africa.
>
> We cannot ignore the call of our African brothers and sisters to struggle with them towards a better world in Southern Africa. Neither can we ignore the fact that American companies are deeply involved in these countries. They are profiting from these unjust systems.
>
> American churches h[illegible]d investments in these companies, investments which are vital to our c[illegible]ntinuing mission. But as investors, we feel we have a moral obligation to confront these companies about their involvement in Southern Africa. We believe that American corporations are no less obligated than ourselves to confront the grave ethical questions inherent in conducting business in oppressive societies.

Disclosure on South Africa

Last year, the Church Project announced that resolutions were filed with 11 companies asking for disclosure of the facts of their involvement in South Africa. Since that time, over half these companies negotiated with church representatives and agreed to issue comprehensive reports to every shareholder about their operations in South Africa under that country's apartheid system. We believe this is a small "victory." It is a recognition by these companies of the serious issues involved.

Resolutions on the Portuguese Colonies

We are also filing 3 resolutions this year with United States companies in the Portuguese colonies and one with a company investing in the Republic of Guinea-Bissau.

Many American churches, and the World Council of Churches, have been involved in providing humanitarian aid to the African liberation movements in the Portuguese colonies. We believe their struggle for independence is a just one and seek to find ways to end obstacles that block the road to independence. One major obstacle to the independence struggle in Angola and Mozambique is foreign investment, which provides tax monies, foreign exchange and moral support for Portugal's anachronistic colonial empire.

The liberation movements have called upon these companies to withdraw from their nations.

This year a resolution has been filed with Texaco urging it to withdraw from Angola and with Bethlehem Steel urging it to pull out of Mozambique. It seems clear that an investment in the Portuguese colonies at this time can only strengthen Portugal which has over 150,000 troops in Africa fighting independence. This badly strains Portugal's budget and every dollar from an investor helps relieve that strain. It is a grave mistake for a United States company to line up with a Portuguese colonial system in Angola or Mozambique against the desires of the African people for independence.

Republic of Guinea-Bissau

The newest independent state in Africa is Guinea-Bissau on the West Coast of the continent. Just as in 1776 our country declared itself independent from Britain, so Guinea-Bissau declared its independence from Portugal in September 1973. The new Republic of Guinea-Bissau, under the leadership of the liberation movement PAIGC, is presently recognized by seventy-one nations around the world. The major investor in Guinea-Bissau is Exxon. Exxon has a contract with Portugal, but the National Assembly of the Republic, freely elected by the people of Guinea-Bissau for the first time in its history, has stated that foreign concessions, such as Exxon's with Portugal, are null and void, and should be brought before the Assembly for ratification.

Business in Namibia

South Africa is also a colonizer in Africa, in Namibia. The World Court has declared South Africa's occupation of Namibia illegal and condemned the extension of the infamous apartheid system to that territory. The United States government has supported the United Nations and the World Court in this decision. Our government's official policy is to discourage foreign investment in Namibia because of the support which this lends to South Africa. Yet 4 American oil companies are flouting that policy. They are prospecting for oil off the Namibian coast with concessions from the white South African administration.

These investments serve to strengthen South Africa's vested interest in Namibia. It is an investment in direct opposition to the position of the U.N., the U.S. government, and the interests of the black people of Namibia.

A resolution urging Phillips, Getty, and Standard Oil of California to withdraw from Namibia has been filed. Conversations are in progress with Continental Oil, another company involved in exploration activities, and it is likely that a similar resolution will be filed with them. Last year almost one share out of ten voted in favor of or abstained on this same issue at the Phillips and Continental shareholder meetings.

In addition, the major private employer in Namibia is owned by American mining companies managed by Newmont Mining. A resolution challenging Newmont to follow practices of equal employment opportunity in Namibia has been filed.

One other category of resolutions filed involves investment in South Africa's "border industries." South Africa's white government is increasingly

concerned about the concentration of African workers in that country's cities. The government is encouraging companies to move to so-called "border areas" on the edge of arid, often uninhabitable tribal reservations, called Bantustans. The government is offering incentives to invest in these areas, such as an exemption from even minimum wage restrictions. Foote Mineral Company of Philadelphia and Alcan Ltd. of Canada have announced plans for a joint investment in such a border area. In consultation with Canadian denominations, a resolution has been filed with both these companies requesting them to immediately cancel these plans.

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1. What methods is the National Council of Churches using to help protect human rights?

2. Do you consider these methods effective? Why or why not?

In 1974 the decades-old dictatorship in Portugal was overthrown by a more liberal regime. As this book was going to press, the new Portuguese government announced that it had agreed to grant independence to the Republic of Guinea-Bissau. Many observers considered the Portuguese announcement a face-saving formality, since the new nation had already been formally recognized by over 100 countries.

Sometimes groups of private citizens join together with similar groups in other nations to work on problems of common concern. Examples of such groups are the Boy Scouts, the World Council of Churches, and Amnesty International.

Amnesty International was founded to carry out some of the aims of the Universal Declaration of Human Rights, specifically Articles 5, 9, 18, and 19. (See Appendix A.) The organization has official advisory status with UNESCO, the U.N. Human Rights Commission, the Organization of America States (OAS), and the Organization of African Unity (OAU). This status gives Amnesty the right to have its observers attend debates, and provides a direct channel for making its views known to these organizations.

Amnesty has about 35,000 members in 60 countries. They work for the release of "prisoners of conscience" in many parts of the world. Amnesty International defines prisoners of conscience as "individuals imprisoned for their political beliefs, religion, race, or ethnic background who have not used or advocated violence."

Amnesty International's research department tries to make sure that the persons they hope to help are really prisoners of conscience and not ordinary criminals.

Amnesty learns about prisoners of conscience mainly through newspapers, radio, and television. They also get reports from exiles

who have had to leave their own countries for political reasons and from newsmen and travelers.

Groups of private citizens working with Amnesty International usually concentrate on three prisoners at a time: one in a Communist country, one in a right-wing dictatorship, and one in a country which falls into neither of those categories.

Most of the pressure exerted by Amnesty comes through private correspondence. Members of Amnesty constantly write letters and postcards to the officials of the government of a country holding a prisoner of conscience. They ask that the prisoner be set free or at least be given a fair trial or a reduced sentence. They try to continue this correspondence until they get some response.

Since governments may wish to forget their political prisoners, Amnesty constantly reminds them of the plight of these individuals. In addition, the prisoners often learn that they are not forgotten or abandoned by their fellow human beings.

Amnesty groups may publicly dramatize the cases of their "adopted" prisoners through letters to the editor, fund-raising campaigns, appeals to embassies, cables to heads-of-state, or posters in airports. Sometimes Amnesty sends observers to investigate special problems:

United Nations, New York *January 19, 1974*

Amnesty International contends that political arrests and executions are continuing in Chile under the military junta that seized power last September.

Killings are fewer and torture seems less widely used than in the period immediately after the coup d'etat, the organization said in a report yesterday, but many hundreds are still being held in prison without trial.

Contrary to statements by Chilean officials, it declared, "there is substantial evidence of a persistent and gross violation of the most fundamental human rights."

The findings were based on a week's visit to Chile in November by an Amnesty team and were updated and supported, Amnesty said, by recent information reaching its headquarters in London. Amnesty is recognized at the United Nations as an accredited organization and frequently submits data on political prisoners.

In this case, Amnesty submitted a report to the U.N. Can you think of other ways in which private agencies could help public organizations to protect human rights?

Rosa Parks showed what one determined person can do on behalf of human rights. Here she is sitting in the front of the bus a year after her arrest—as the Supreme Court ruling against bus segregation took effect.

Wearing stripes and standing inside a mock jail, demonstrators protest the U.S.S.R.'s failure to allow Soviet Jews to emigrate freely. The Universal Declaration of Human Rights states: "Everyone has the right to leave any country, including his own, and to return to his country."

In 1973, according to Amnesty International, the Chilean government engaged in "gross violation of the most fundamental human rights." Here a uniformed official stands guard in the National Stadium, where thousands of political prisoners were held without trial—and many were tortured. The Declaration of Human Rights says: "No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment."

This unofficial pressure by concerned persons has resulted in the freeing of many political prisoners and in improving the situations of many more. In twelve years Amnesty has worked on behalf of more than 13,000 prisoners of conscience. Of these, 7,500 were released from prison.

Amnesty believes it is important to keep up a barrage of complaints to the governments involved. The results of one recent barrage are described in the following article:

> A group of high school students in Northport, New York, engaged in a special celebration in their social-studies class. The occasion was the release of Helga Petschik from an East German jail where she had served several years as a "prisoner of conscience." A student who participated in the class's card campaign described the experience: "I wrote for the release of Dr. Helga Petschik, and she was recently released. Whether or not my letter helped, it made me feel good knowing that I might have helped, even a little."
>
> The class is a membership group of Amnesty International, an organization which tries to help political dissenters. They had written letters on behalf of this "prisoner of conscience" for over a year.

1. What effect do you believe the students' letters had on the East German government?
2. What values have these students demonstrated?
3. How would you explain the success of Amnesty's tactics?

What Government Organizations Can Do

A number of nations, states, and cities have established organizations to protect human rights. Here is an example of the actions of a government organization in a U.S. city:

New York, New York *January 23, 1974*

Mrs. Eleanor Holmes Norton, chairman of the city's Human Rights Commission, disclosed yesterday that her agency had denied the Trans World Airlines request to reopen a 1969 case in which a former Jewish employee was awarded $11,889 after the agency found the airline had tolerated religious discrimination.

For 27-year-old Malcolm Rattner, the former employee and a Vietnam veteran, the "decision meant a lot to me."

Mr. Rattner, who now drives a taxi, said: "It means that no one can discriminate because of race, creed, or

color, and that New York can be proud of its Human Rights Commission."

Mr. Rattner was dismissed as a T.W.A. ramp handler on September 27, 1969, after 37 days of employment.

In speaking of her agency's action, Mrs. Norton said:

"It is easy to believe anti-Semitism has been eliminated in America. This case demonstrates the need for continued vigilance."

The Human Rights Commission decision found that Mr. Rattner had suffered "humiliation, outrage, and mental anguish because of the discrimination." It also ruled that the airline had refused to give Mr. Rattner time off to observe Yom Kippur [a Jewish holiday] and had failed to give him advance notice of his dismissal. The decision also detailed other anti-Semitic incidents directed against Mr. Rattner.

1. The Human Rights Commission of New York City is a governmental organization charged with the protection of human rights. Can you think of some guidelines that this organization might use to determine whether or not a New York citizen's rights have been violated?

2. Is there a human-rights agency in your town or city? If so, obtain information about the agency's activities.

What International Organizations Can Do

International organizations are made up of representatives from many nations. One example is the Organization of American States, which deals with regional problems of Latin America. Another is the Organization of African Unity (OAU).

A number of nations in Western Europe have formed a regional organization called the Council of Europe. It seeks to protect the human rights of all persons in the member nations. It does this through a Commission and a Court of Human Rights, assisted by a Committee of Ministers.

The Commission, composed of representatives of each nation, conducts investigations into alleged violations of human rights. Where actual violations have occurred, the Commission may make the results of its investigations public, as it did in the following instance which occurred in 1969:

London, England *November 28, 1969*

The European Commission for Human Rights has concluded that Greece's military-backed Government allowed torture of political prisoners

and denied many fundamental human rights.

Its 1200-page report, the result of more than two years of investigation, found that torture and ill-treatment were "an administrative practice" that "was officially tolerated." It charged that Greek authorities had taken no effective steps to stop the practices.

The report represents the efforts of lawyers who took hundreds of hours of testimony and even traveled to Greece for on-the-scene investigations. Some have called their work the weightiest international legal inquiry since the Nuremberg trial of war criminals after World War II.

The report said that competent Greek authorities, "confronted with numerous and substantial complaints and allegations of torture and ill-treatment," failed to take any effective steps to investigate them or to insure remedies for "any such complaints or allegations found to be true."

Here is an excerpt from the testimony of Mrs. Anastasia Tsirka, taken from the Commission's report. Mrs. Tsirka was arrested by the Greek police at the time in connection with pamphlets considered "suspicious":

"I say to them (the police), I am going to have a baby.

"They answer: 'Who cares about that? It will be another person like you, it is better not to have it.' . . .

"(An official) ordered (a policeman) to give me 15 'Falanga' (blows on the soles of the feet) and he give me 20, I counted, maybe it was not, 18 maybe 21, but it was more than 15 . . .

"I started to scream very loudly and they put a very dirty rag in my mouth to keep my mouth shut."

In 1974 the military dictatorship in Greece was replaced by a more democratic government.

The European Court of Human Rights hears only those cases which the Commission cannot resolve. Usually if the Commission cannot settle a case, it sends its findings and conclusions to the Committee of Ministers. The Committee then either gives the nation involved a chance to correct the violation before a public report is made or passes the case on to the Court.

The Court hears cases from or concerning nation-states. Individuals cannot submit an application to the Court (though they can to the Commission). Only those cases in which the nations involved have already agreed to accept the Court's jurisdiction are tried. When the Court does reach a decision, however, its decision is final and binding on the parties concerned. No appeal is permitted.

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1. What do you think are the strengths and weaknesses of this Commission? Of the Court?

2. What methods was the Commission using to protect the human rights of Greek citizens? Do you consider these methods effective? Why or why not?

While organizations such as the Council of Europe concentrate their efforts in only a single region, the United Nations and its agencies and commissions work throughout the whole world. The U.N. Human Rights Commission is one such organization.

The Human Rights Commission meets annually to review the status of human rights throughout the world. It has investigated such problems as *apartheid* and racism, rights of minorities, exploitation of foreign workers, and punishment of war criminals. Here is one example of the Commission's activities:

Geneva, Switzerland *April 2, 1973*

The United Nations Human Rights Commission approved today the draft of a convention that would make *apartheid,* the racial segregation practiced in South Africa, and similar policies of racial segregation a "crime against humanity."

The commission voted 21 to 2, with 5 abstentions, to ask its parent body, the Economic and Social Council, to endorse the proposed convention for adoption by the General Assembly.

Nations ratifying the pact would commit themselves to take legislative and other measures needed to "combat all manifestations" of *apartheid.* Those nations would also be obliged to bring to trial and punish those guilty of acts committed for the purpose of establishing and maintaining domination by one racial group.

The United States and Britain voted against the draft, citing legal and technical reasons, including duplication with other United Nations measures against racism. France, Italy, the Netherlands, Austria, and Norway abstained on similar grounds.

1. What methods did the U.N. Human Rights Commission use here to promote human rights? Do you think this approach is effective? Why or why not?

2. Do you agree with the reasons given for the negative vote by the United States?

Most of the work of the Commission has involved investigating and making records of violations of human rights in many parts of the world. These investigations have helped to focus public opinion throughout the world on gross violations of the Universal Declaration of Human Rights.

QUESTIONS AND ACTIVITIES

Values to Think About

Which human rights do you think are in greatest need of protection? Why?

Issues to Talk About

Review the methods, discussed in Chapter 4, used by each of the following to promote human rights: Rosa Parks; Archbishop Camara; National Council of Churches; Amnesty International; New York City Human Rights Commission; European Commission for Human Rights; U.N. Human Rights Commission. Which of these methods might be used in other situations where human rights are being violated? Give specific examples.

Can you think of human-rights violations in your own or nearby communities? What means do you think would be most effective in protecting those rights?

Facts to Find Out About

How many complaints have been reported to the U.N. Human Rights Commission? Write to ask for a report from: U.N. Human Rights Commission, United Nations, New York, New York 10017.

What work in the field of the international protection of human rights is being done by organizations other than those described in this book? Write to: International League for the Rights of Man, 777 United Nations Plaza, New York, New York 10017. And to: International Commission of Jurists, Geneva, Switzerland.

For information about minority rights, write to: Minority Rights Group, Benjamin Franklin House, 36 Craven Street, London WC2N5NG, England.

For information about racism, write to: Committee to Combat Racism, World Council of Churches, 475 Riverside Drive, New York, New York 10027. Or to: Committee to Combat Racism, World Council of Churches, 150, Route de Ferney, 1211 Geneva 20, Switzerland.

Things to Do

If you have collected newspaper and magazine clippings about human rights, examine the evidence. Try to determine: Which rights of the Universal Declaration are most frequently violated? Which individuals or groups are the most common violators of rights? What methods are most frequently used to achieve, regain, or protect rights?

Are some parts of the world better off than others in terms of human rights? To provide a global picture, you might plot your evaluation on a map, using pins or tacks of one color for human-rights violations, and another color for human-rights victories.

Explore the possibility of joining in the work of Amnesty International as an individual or as a group member. Write to Amnesty International at: 200 West 72nd Street, New York, New York 10023. Or at: 1300 Sansom Street, San Francisco, California 94111.

Chapter Five:
Plans for Tomorrow

Chapter 4 reviewed a number of approaches being used in today's world to achieve and protect human rights.

Are there additional methods and approaches that might be more effective in the future?

Various people concerned about human rights have made proposals for the international protection of human rights. Two of these proposals are World Habeas Corpus and World Ombudsman.

World Habeas Corpus

Habeas corpus is the Latin wording for an order: "Have the body." In practice, it means: "Bring the person."

If a person has been arrested or jailed, a judge may be asked to issue an order of *habeas corpus*. The prisoner is then brought to the court, where the judge decides whether he or she is being held for a good legal reason.

Under English and American law, this is an old and important right. If there is no legal reason to hold a person in jail, he or she will be released. So *habeas corpus* is a protection against being jailed illegally.

Under World Habeas Corpus, this right would be extended to everyone on earth. Any person arrested or jailed in any nation could ask the courts of that nation for an order of *habeas corpus*.

If the national courts refused the *habeas corpus* request, then the prisoner could turn to an international court of appeals. There would be several of these courts in different regions of the world.

Asian-Americans demonstrating at a construction site in New York City's Chinatown in 1974. Their goal was to have Asian-American construction workers—especially Chinatown residents—hired to work on the cooperative housing project.

Celebrating a victory for human rights: On May 1, 1974, hundreds of thousands of Portuguese in Lisbon joyously hailed the overthrow of decades of dictatorship. This sign refers to Liberty, Justice—and No Colonial War. The new regime began taking steps to end 4 centuries of Portuguese colonial rule in Africa.

Demonstrations on behalf of women's rights took place in a number of U.S. cities on August 24, 1971. In New York, many men joined thousands of women in a "Women's March for Equality" along Fifth Avenue.

One, for instance, might be the East European court. A prisoner jailed in Czechoslovakia or Greece could appeal to this court. A prisoner in Cuba or Brazil could appeal to the Latin American regional court. A prisoner in North or South Vietnam could appeal to the East Asian court.

The judges of the regional court could decide a request for *habeas corpus* in one of three ways. First, they could decide that the person was being held for a good legal reason, thus ordering him or her back to jail. Second, they could order the prisoner to be released. Third, they could send the case back to the national courts for correction and retrial.

There would also be a "supreme court" to which a prisoner could appeal if the regional court sent him or her back to jail.

The regional courts would also supervise other rights of people accused of crime—many of them listed in the Universal Declaration of Human Rights. These might include:

- The right to have a lawyer.
- The right to be tried in public.
- The right to obtain witnesses for the defense.
- The right to question witnesses for the prosecution.
- The right not to undergo torture or other cruel and unusual punishment.

Ombudsman for the World

Ombudsman is the Swedish word for "commissioner."

In some Scandinavian countries an ombudsman is appointed by the legislature to investigate complaints by private citizens against government officials. Some states and cities in the United States now have ombudsmen, too, sometimes under another name.

Under this proposal, the United Nations would set up a system of ombudsmen to supervise the human-rights covenants everywhere on earth.

The Chief Ombudsman, serving a six-year term, would hold the rank of an assistant to the Secretary General of the United Nations.

Several Deputy Ombudsmen would each handle human-rights problems in one region of the world. The Deputy in any one region, serving a four-year term, would be from another region of the world. With the help of a staff of investigators, he or she would regularly study human rights in all the nations of the region in order to discover and prevent violations of the Universal Declaration and the covenants.

Deputies would also hear complaints from individuals claiming that their rights had been violated. After investigation, they could decide to dismiss the complaint. Or they could work with the national government involved to correct the problem, or refer the problem for further action to the Chief Ombudsman.

The Chief Ombudsman would issue an annual report dealing with human rights around the world. With the help of the Deputies, he or she would work out new guidelines, if necessary, for the further protection of human rights.

Improving Enforcement Procedures

A major drawback of existing methods of protecting human rights is that no effective procedures usually exist to enforce decisions.

If a national government refuses to heed the urgings of Amnesty International or the U.N. Human Rights Commission, what happens? As a practical matter, nothing—except perhaps some unfavorable publicity.

What would happen if a nation refused to obey an order of a regional *habeas corpus* court or of the Chief Ombudsman? Here are some ideas:

The U.N. Charter (Article 42) provides that the Security Council "may take such action by air, sea, or land forces as may be necessary to maintain or restore international peace and security." However, Article 27 allows any of the permanent members of the Council—France, Great Britain, the United States, the Soviet Union, and the People's Republic of China—to veto such an action. So Article 42 has rarely been used.

Should the U.N. Charter be amended to allow a majority of the Security Council to call for military action if a nation disobeys a regional *habeas corpus* court or the Ombudsman? Or should there be military or police forces directly under the command of the Ombudsman for enforcement purposes?

The U.N. Charter (Article 41) gives the Security Council power to impose economic and political "sanctions" against an offending country, by calling on member nations to cut off trade and diplomatic relations with an aggressor nation.

In 1966 the Security Council approved economic sanctions against a country for the first time. It ordered U.N. members to stop trading with Rhodesia, mainly because of the white minority government's failure to grant basic human rights to the black majority. The sanctions, however, have been less than effective

because a few nations—Portugal, South Africa, and the United States among them—have continued to trade with Rhodesia.

Could a revision of the U.N. Charter put teeth into procedures for enforcing sanctions? Who might support such revisions? Who might oppose them?

Planning for the Future

The Universal Declaration of Human Rights has now been in existence for over a quarter century. Think about the various incidents involving human rights that you have learned about in reading this book. To what extent has the pledge to which the signers of the Declaration committed themselves been fulfilled? What does this suggest about the kind of world we now have?

Now think about the kind of world in which you would like to live. What role would human rights have in such a world? Will that world be different from the world in which you now live? If so, how? What role would the fulfillment of human rights have in such a world?

One way to answer these questions is by trying to work out a method for the protection of human rights for all persons on this planet. Here are some steps to help organize your thinking:

(1) Review carefully all of the approaches described in Chapters 4 and 5.

(2) Compare the strengths and weaknesses of each approach with the others. Which parts, if any, of those described would you include in your method? Why? (What values does your method promote?) What ways can you think of to improve the methods described in this book?

(3) Review your collection of human-rights clippings. In what areas of the world do you think human-rights problems will emerge or worsen over the next several years? What places seem particularly likely to make progress in protecting human rights? What conclusions can you draw about the best ways to advance the cause of human rights?

(4) What values would you like to see the world of the future reflect?

QUESTIONS AND ACTIVITIES

Ideas to Think About

Which of the proposals in this book agrees best with your own values? Why?

Issues to Talk About

Do you see any similarities between the present work of Amnesty International and the proposed ombudsman system? Do you see important differences?

Which procedure do you think would be more effective—World Habeas Corpus or the ombudsman system? Why?

Can you think of any other—perhaps even more effective—ways to enforce decisions of a regional court or of the Chief Ombudsman?

Appendix A

Universal Declaration of Human Rights

On December 10, 1948, without a dissenting vote, the General Assembly of the United Nations adopted and proclaimed the Universal Declaration of Human Rights, the full text of which appears in the following pages. Following this historic act the Assembly called upon all member countries to publicize the text of the Declaration and "to cause it to be disseminated, displayed, read, and expounded principally in schools and other educational institutions, without distinction based on the political status of countries or territories."

PREAMBLE

Whereas recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world,

Whereas disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind, and the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people,

Whereas it is essential, if man is not to be compelled to have recourse, as a last resort, to rebellion against tyranny and oppression, that human rights should be protected by the rule of law,

Whereas it is essential to promote the development of friendly relations between nations,

Whereas the peoples of the United Nations have in the Charter reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and have determined to promote social progress and better standards of life in larger freedom,

Whereas Member States have pledged themselves to achieve, in cooperation with the United Nations, the promotion of universal respect for and observance of human rights and fundamental freedoms,

Whereas a common understanding of these rights and freedoms is of the greatest importance for the full realization of this pledge,

Now, Therefore,

THE GENERAL ASSEMBLY

proclaims

THIS UNIVERSAL DECLARATION OF HUMAN RIGHTS as a common standard of achievement for all peoples and all nations, to the end that every individual and every organ of society, keeping this Declaration constantly in mind, shall strive by teaching and education to promote respect for these rights and freedoms and by progressive measures, national and international, to secure their universal and effective recognition and observance, both among the peoples of Member States themselves and among the peoples of territories under their jurisdiction.

Article 1. All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act toward one another in a spirit of brotherhood.

Article 2. Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

Furthermore, no distinction shall be made on the basis of the political, jurisdictional or international status of the country or territory to which a person belongs, whether it be independent, trust, non-self-governing or under any other limitation of sovereignty.

Article 3. Everyone has the right to life, liberty and security of person.

Article 4. No one shall be held in slavery or servitude; slavery and the slave trade shall be prohibited in all their forms.

Article 5. No one shall be subjected to torture or to cruel, inhuman or degrading treatment or punishment.

Article 6. Everyone has the right to recognition everywhere as a person before the law.

Article 7. All are equal before the law and are entitled without any discrimination to equal protection of the law. All are entitled to equal protection against any discrimination in violation of this Declaration and against any incitement to such discrimination.

Article 8. Everyone has the right to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted him by the constitution or by law.

Article 9. No one shall be subjected to arbitrary arrest, detention or exile.

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Article 10. Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights and obligations and of any criminal charge against him.

Article 11. (1) Everyone charged with a penal offence has the right to be presumed innocent until proved guilty according to law in a public trial at which he has had all the guarantees necessary for his defence.

(2) No one shall be held guilty of any penal offence on account of any act or omission which did not constitute a penal offence, under national or international law, at the time when it was committed. Nor shall a heavier penalty be imposed than the one that was applicable at the time the penal offence was committed.

Article 12. No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honour and reputation. Everyone has the right to the protection of the law against such interference or attacks.

Article 13. (1) Everyone has the right to freedom of movement and residence within the borders of each state.

(2) Everyone has the right to leave any country, including his own, and to return to his country.

Article 14. (1) Everyone has the right to seek and to enjoy in other countries asylum from persecution.

(2) This right may not be invoked in the case of prosecutions genuinely arising from non-political crimes or from acts contrary to the purposes and principles of the United Nations.

Article 15. (1) Everyone has the right to a nationality.

(2) No one shall be arbitrarily deprived of his nationality nor denied the right to change his nationality.

Article 16. (1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

(2) Marriage shall be entered into only with the free and full consent of the intending spouses.

(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.

Article 17. (1) Everyone has the right to own property alone as well as in association with others.

(2) No one shall be arbitrarily deprived of his property.

Article 18. Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

Article 19. Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Article 20. (1) Everyone has the right to freedom of peaceful assembly and association.

(2) No one may be compelled to belong to an association.

Article 21. (1) Everyone has the right to take part in the government of his country, directly or through freely chosen representatives.

(2) Everyone has the right of equal access to public service in his country.

(3) The will of the people shall be the basis of the authority of government; this will shall be expressed in periodic and genuine elections which shall be by universal and equal suffrage and shall be held by secret vote or by equivalent free voting procedures.

Article 22. Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.

Article 23. (1) Everyone has the right to work, to free choice of employment, to just and favourable conditions of work and to protection against unemployment.

(2) Everyone, without any discrimination, has the right to equal pay for equal work.

(3) Everyone who works has the right to just and favourable remuneration ensuring for himself and his family an existence worthy of human dignity, and supplemented, if necessary, by other means of social protection.

(4) Everyone has the right to form and to join trade unions for the protection of his interests.

Article 24. Everyone has the right to rest and leisure, including reasonable limitation of working hours and periodic holidays with pay.

Article 25. (1) Everyone has the right to a standard of living ade-

The Declaration of Human Rights includes the right to vote. Through the ballot box, citizens can help to protect and extend their other rights as well. Here, Indians in Colombia vote for the first time.

quate for the health and well-being of himself and of his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age or other lack of livelihood in circumstances beyond his control.

(2) Motherhood and childhood are entitled to special care and assistance. All children, whether born in or out of wedlock, shall enjoy the same social protection.

Article 26. (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of m rit.

(2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.

(3) Parents have a prior right to choose the kind of education that shall be given to their children.

Article 27. (1) Everyone has the right freely to participate in the cultural life of the community, to enjoy the arts and to share in scientific advancement and its benefits.

(2) Everyone has the right to the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he is the author.

Article 28. Everyone is entitled to a social and international order in which the rights and freedoms set forth in this Declaration can be fully realized.

Article 29. (1) Everyone has duties to the community in which alone the free and full development of his personality is possible.

(2) In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting the just requirements of morality, public order and the general welfare in a democratic society.

(3) These rights and freedoms may in no case be exercised contrary to the purposes and principles of the United Nations.

Article 30. Nothing in this Declaration may be interpreted as implying for any State, group or person any right to engage in any activity or to perform any act aimed at the destruction of any of the rights and freedoms set forth herein.

Appendix B

Some Important Dates

1689 BILL OF RIGHTS (English) assures basic civil liberties: trial by jury, freedom from cruel or unusual punishments, excessive fines or demands for excessive bail.

1776 UNITED STATES DECLARATION OF INDEPENDENCE asserts that government must assure the right to life, liberty, and the pursuit of happiness.

1787 UNITED STATES CONSTITUTION sets up a system of "checks and balances" to prevent any *one* of the three branches of the national government (the executive, the legislative, the judicial) from obtaining too much power.

1789 DECLARATION OF THE RIGHTS OF MAN AND CITIZEN (French) states that all people have an inalienable right to liberty, property, security, and to resist oppression. All people are entitled to freedom of speech, press, and religion.

1791 BILL OF RIGHTS (U.S.) amends the U.S. Constitution to guarantee freedom of religion, speech, press, and lawful assembly. Also freedom from undue search and seizure; protection of property; and trial by jury.

1832-1884 REFORM BILLS of 1832, 1867, and 1884 (English) make the government more representative by extending the vote to the middle class and workingmen.

1861 EDICT OF EMANCIPATION (Russian), issued by Czar Alexander II, frees the serfs in Russia, thus liberating about a third of the country's population, who were formerly bound to remain on the land where they were born and to work it for the benefit of the landlord.

1865-1870 THIRTEENTH, FOURTEENTH, AND FIFTEENTH AMENDMENTS to the U.S. Constitution abolish slavery in the United States and extend civil and political rights to black people.

1920 NINETEENTH AMENDMENT TO THE U.S. CONSTITUTION gives women the right to vote in the United States.

1945 CHARTER OF THE UNITED NATIONS reaffirms faith in fundamental human rights and sets up agencies and commissions to study and make recommendations to bring about their realization.

1948 UNIVERSAL DECLARATION OF HUMAN RIGHTS is approved by the General Assembly of the United Nations.

1948 INTERNATIONAL CONVENTION ON GENOCIDE is approved by the U.N. General Assembly.

1959 EUROPEAN CONVENTION OF HUMAN RIGHTS establishes Human Rights Commission. A court is set up to hear cases involving violations of human rights if the nations involved choose to appear before it.

1965 INTERNATIONAL CONVENTION ON THE ELIMINATION OF ALL FORMS OF RACIAL DISCRIMINATION is adopted by the General Assembly (and goes into effect in 1969).

1966 To further the aims of the Universal Declaration of Human Rights, the U.N. General Assembly approves the INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL, AND CULTURAL RIGHTS and the INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS. The two covenants will "enter into force" after 35 member nations have ratified or agreed to them.

1970 The U.N. Economic and Social Council asserts the right of the U.N. Human Rights Commission to hear and act upon complaints by individuals of violations of the Universal Declaration of Human Rights.

1973 The U.N. Human Rights Commission issues a draft convention designating *apartheid* as a "crime against humanity."

Appendix C

Some U.S. Human Rights Groups

American Indian Movement
Room 618
156 Fifth Avenue
New York, New York 10010

La Raza
3571 City Terrace Drive
Los Angeles, California 90063

NOW (National Organization for Women)
47 East 19th Street
New York, New York 10003

Manhattan Women's Political Caucus
60 West 13th Street
New York, New York 10011

Italian American Civil Rights League
635 Madison Avenue
New York, New York 10022

B'nai B'rith
1640 Rhode Island Avenue, N.W.
Washington, D.C. 20036

C.O.R.E. (Congress of Racial Equality)
200 West 135th Street
New York, New York 10030

N.A.A.C.P. (National Association for the Advancement of Colored People)
1790 Broadway
New York, New York 10019

Japanese American Citizens League (J.A.C.L.)
22 Peace Plaza
San Francisco, California 94115

Chinese for Affirmative Action
669 Clay Street
San Francisco, California 94111

American Civil Liberties Union
22 East 40th Street
New York, New York 10016

National Council of Churches
475 Riverside Drive
New York, New York 10027

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The Struggle for Human Rights

The South African government requires working women to live apart from their husbands and children...
The Soviet Union expels a Nobel Prize novelist...
In Northern Ireland, Catholics and Protestants murder one another in the name of human rights...

What are human rights, anyway? How can they be protected?
How effective is the Universal Declaration of Human Rights?
The authors of this book seek answers to the question: What rights should be guaranteed to all human beings? They investigate how people's values affect their behavior. And they suggest how to make rational decisions when values conflict.
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Peacekeeping — Can we eliminate war?
War Criminals, War Victims — Andersonville, Nuremberg, Hiroshima, My Lai

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